

## REMARKS

Claims 1-2, 5-11, 13 and 26-28 stand rejected under 35 U.S.C. §102(b) as being anticipated by Arsenault et al. (EP 0 828 390 A2, hereinafter "Arsenault"). The method of claim 1 calls for transmitting content, transmitting a first announcement including connection information for the content, and transmitting a second announcement including a content description for the content, the second announcement transmitted before any assignment of connection has been determined for the content. The Arsenault reference teaches away.

Specifically, the Arsenault reference teaches providing both the information about the content and the information about how to connect to the content into a single stream. *See*, col. 25, ll. 41-43. Absent a specific teaching or a hint as to separately providing information about the content and the information about how to connect to the content, the Arsenault reference fails to anticipate all claim limitations of claim 1. In this manner, the Examiner is respectfully requested to reconsider the Section 102 rejection of claim 1 as it is deemed patentably distinguishable over the cited art. The dependent claims which depend from claim 1 are also in condition for allowance because they depend from an allowable independent claim.

More specifically, the Arsenault reference teaches in one preferred embodiment of the invention that the local map update information is included with the program guide information. In another embodiment 96, the necessary broadcast resource and output data stream are view channel information for each time slot is included within the program guide information. *See*, col. 25, ll. 40-43 and 49-55. In this manner, the Arsenault reference teaches providing information about audio-video content at the same time the actual content information becomes available.

In contrast, as claimed in claim 1, the specific limitations call for two different announcements one regarding connection information and the other regarding content description for the content. More so, the second announcement transmitted before any assignment of connection has been determined for the content. Instead, the Arsenault reference clearly teaches sending both the connection information and content description concurrently. In this manner, the Arsenault reference fails to teach separate transmission of two announcements regarding connection information and content description, as claimed in claim 1.

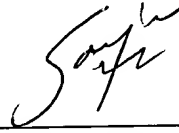
There is no teaching of sending the second announcement before any assignment of connection has been determined for the content in the Arsenault reference. Instead, the Arsenault reference teaches inserting local map information into the program stream for transmission over each broadcast resource in a DBF system. *See*, col. 25, ll. 17-20. In the Arsenault reference, map update and control information is provided to the processor for inclusion in the output signal 27 for relay via satellites 11 or to the receiving stations 12. In other words, the connection information and content description are combined together for transmission. *See*, col. 14, ll. 8-11. The Arsenault transmission distribution system conserves transmission bandwidth by consolidating the broadcast of simultaneous common programming from a number of different program streams comprising a number of input data streams. *See*, col. 6, ll. 30-35.

Claims 3, 4 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Arsenault reference in view of U.S. Patent No. 5,686,954 to Yoshinobu, et al. (hereinafter, "Yoshinobu"). Claim 3 calls for arranging the content description with at least two levels of granularity. As admitted by the Examiner, the Arsenault reference fails to explicitly disclose arranging the content description with at least two levels of granularity or detail. The Examiner asserts that the Yoshinobu reference teaches this limitation. However, the Yoshinobu reference fails to teach two levels of granularity or a group hierarchy as indicated by the Examiner. The Yoshinobu reference merely teaches program scheduled data containing information on multiple channels where channels contain groups of program information, each program information group having a program ID. There is no teaching whatsoever as to arranging the content description with at least two levels of granularity.

More so, there is no motivation provided in the Yoshinobu reference to modify the teachings of the Arsenault reference. Absent a specific motivation present in the cited reference, the rejection of claim 3 is improper. The Examiner is respectfully requested to cite a specific instance where a motivation to combine the Yoshinobu reference teachings is provided. The Examiner states that it is well known to arrange content description with multiple levels of detail for use in an electronic program guide. Again, it is respectfully submitted that the Examiner provide a specific citation for each instance where it is suggested that something is well known in the art.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,



Date: February 17, 2004

---

Sanjeev K. Singh Under 37 C.F.R. § 10.9(b)  
Registration No.: 28,994  
TROP, PRUNER & HU, P.C.  
8554 Katy Freeway, Suite 100  
Houston, Texas 77024-1805  
(512) 418-9944 [Phone]  
(713) 468-8883 [Fax]

**RECEIVED**

FEB 23 2004

Technology Center 2600



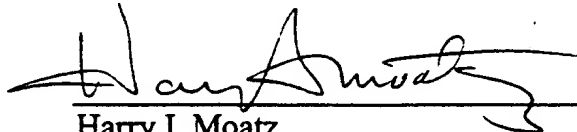
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Dr. Sanjeev Kumar Singh is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Trop, Pruner & Hu, P.C., to prepare and prosecute patent applications for clients of Trop, Pruner & Hu, P.C. in which a member of Trop, Pruner & Hu, P.C., is the attorney of record. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Dr. Sanjeev Kumar Singh ceases to lawfully reside in the United States, (ii) Dr. Sanjeev Kumar Singh's employment with Trop, Pruner & Hu, P.C. ceases or is terminated, or (iii) Dr. Sanjeev Kumar Singh ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

**Expires: January 14, 2005**

  
\_\_\_\_\_  
Harry I. Moatz  
Director of Enrollment and Discipline